

6 JUN 1955

MEMORANDUM FOR: General Counsel

SUBJECT: Applicability of P.L. 737, 83rd Congress to Employees of CIA

REFERENCE: Memorandum for DAD/P from OGC, subject as above, dtd 14 Dec 54

1. The referenced opinion was transmitted to this Office in response to certain questions posed by the Office of Personnel concerning the applicability of P.L. 737, 83rd Congress to CIA.

2. Subsequent to the receipt of your memorandum, certain additional issues have arisen which involve legal interpretation. Accordingly, it is requested that this Office be provided an opinion on the following questions:

a. Does P.L. 737 apply when an individual outside the United States, its Territories and possessions is assigned to an overseas station but cannot acquire eligibility for home leave travel under section 5(a)(3)(A) of the 81st Congress (which requires the individual to complete two years' continuous service abroad to be eligible)? This circumstance arises, for example, [redacted]

b. Does the "advance return of dependents" provision under P.L. 737 apply to all Agency employees stationed at overseas posts, both in foreign areas and in Territories and possessions (including Trust Territories) of the United States?

c. Can P.L. 737 be applied in order to authorize travel for home leave to be taken following the completion by an individual of an Agency prescribed tour of duty of one to two years, in a crisis or hardship area, and prior to serving another overseas tour of duty in the same area or another overseas area? Instances in which a one to two years' tour might be advantageous to the Agency and the employee include (1) an initial overseas assignment in a crisis area and (2) an overseas assignment at a hardship post immediately following the employee's completion of a regular tour of two years and receipt of home leave travel, under [redacted]

Signed

Harrison G. Reynolds
Director of Personnel

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OGC Has Reviewed

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